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**2000 International Residential Code
Mechanical Amendments
City of San Antonio**

Section R-105.9 Homestead Permit

A person who is not a licensed mechanical contractor may perform mechanical work with his own hands within a dwelling premises owned by him, provided such person has filed with the building official an affidavit that the location where such work is to be done is his homestead. Such affidavit shall be made under such circumstances as to support conviction of the applicant for false swearing if such affidavit is false. Before performing such work, he shall obtain from the building official a permit to do such work, and shall pay the permit fee, which is otherwise required. Any person who allows anyone other than a licensee under the provisions of this code to perform any mechanical work under such permit, shall be in violation of this code. Homestead permit does not apply to new residential buildings.

Section R105.10 Duplicate Licenses

Any person whose license was destroyed or lost may obtain a duplicate license upon payment of the fee set forth in the fee schedule adopted by the city of San Antonio.

Section R105.11 Change of Address

Any person holding a mechanical license shall report to the Development Services department any change of address in order to allow the Development Services department to maintain accurate license renewal records.

R106.6 Plans and Specification

Plans, engineering calculations, diagrams and other data shall be submitted in two sets with each application for a permit. When such plans are not prepared by an architect or engineer, the building official may require any applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by an architect or engineer. The building official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such even if not required by state law.

Exception: The building official may waive the submission of plans, calculations or other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

Add Section R106.7 Surety Bond to read as follows:

In addition to filing the permit application, any person engaged in the mechanical business shall have on file at the city clerk's office a properly executed surety bond in the amount of five thousand (\$5000) dollars issued and validated by a company duly authorized to do business in the state of Texas.

1. This bond shall be conditioned for the faithful performance of all work entered upon or contracted for, and in strict accordance and compliance with

- the terms, requirements and provision of this code; and further conditioned that the contractor shall, without additional cost to the person, firm or corporation for which such contract work is done, correct any defect due to faulty workmanship, materials or non compliance with the provisions of this code. Such corrections shall be accomplished within 72 hours after receipt of notification by the mechanical inspector.
2. The surety bond company shall include a provision in the surety bond for notification of surety cancellation or reduction in the amount of surety. Such notification shall be given in writing to the city clerk and shall become effective at 12:00 PM after five consecutive working days and receipt by the city clerk of such notification of cancellation or reduction in the amount of the surety bond. No permit shall be issued to the principal (contractor) until such time as the surety bond has been revalidated to the amount stated above.
 3. All surety bonds shall terminate on the 31st day of December.
 4. Any person applying for a master mechanical license shall present a certificate of insurance company authorized to do business in the state of Texas, certifying that the applicant is insured to the limits of at least \$100,000 public liability insurance per occurrence and \$100,000 property damage liability insurance per occurrence.

Add Section R108.6 Reinspection

To obtain reinspection, the applicant shall make a request to the building official and pay the reinspection fee in accordance with the fee schedule adopted by the jurisdiction. When reinspection fees have been assessed, release of the utilities shall not occur until the required fees have been paid.

Add Section R108.7 Licenses to

Any person performing any type of mechanical work in the city of San Antonio shall have in his possession a valid and authenticated mechanical license issued by the director of Development Services department of the city of San Antonio, Texas or a valid mechanical license issued by the state of Texas, except as otherwise provided under Section 118 federal or state law.

Section R108.8

A licensed contractor must maintain a bona fide company address and telephone to enable city inspectors to contact the contractor in case of a job discrepancy.

Any person holding any type of valid license to do mechanical work in the city of San Antonio at the time of adoption of this code shall be deemed qualified to hold the same type of license under this code, except that this section shall not exempt him from any examination and prescribed experience.

Section R112 is amended to read as follows:

Board of Appeals

R112.1 added new paragraph to read as follows:

Composition

The mechanical board of appeals shall consist of 11 appointive members residing in the city. The appointive members will consist of one licensed mechanical contractor, two licensed mechanical technicians, one of whom shall represent the union segment, two professional engineers, one commercial refrigeration contractor, one manufacturer's representative or distributor of refrigeration, heating or air conditioning equipment, one licensed architect, and three lay persons (consumer representatives). Limit of term of office not to exceed two years. Limit of three consecutive 2-year terms.

Add Section R112.2 Function to read as follows:

1. The mechanical board of appeals shall serve as an advisory board to the department of Development Services and to the city council on the administration of this code and may from time to time recommend amendments to this code.
2. Every appeal application to the board shall be accompanied by a filing fee as set forth in the fee schedule adopted by the city of San Antonio.
3. It shall be the duty of the mechanical board of appeals to review the qualifications of applicants for certificate of licenses. Examinations shall be conducted at times approved by the board within not less than 60 days nor more than 90 days following the previous examination. The chief mechanical inspector shall issue certificates of licenses to applicants who satisfactorily pass the examination with a grade of not less than 70%. The mechanical board of appeals shall advise the director of Development Services Department concerning the scope and content of the examination and make other recommendations pertaining to conduct thereof and procedures for licensing applicants.

Add Section R112.3 Ground for Removal of Members

1. Any member of the mechanical board of appeals found guilty of violation of the uniform mechanical code or who fails to perform his duties as a board member shall be removed by a 2/3 vote of the remaining board members. The city manager will be advised of the findings of the board for necessary action.
2. If a member's attendance at regularly scheduled meetings falls below 50% on an annual basis from the appointment date or a member misses three regularly

scheduled consecutive meetings, the member will be asked to resign. Absences may be formally excused by the board.

Add Section R112.4 Member Not to Sit When Charges are Preferred

Where charges are preferred against a member of the mechanical board of appeals, such member shall not sit as a member of the board during the hearing of the case.

Add Section R112.5 Board Meetings

1. The board of appeals shall meet quarterly. The board may meet more often when the board deems it necessary. The board shall meet for special cases if specifically called by the chairman, the director of Development Services Department or four other board members, and the members shall be notified at least 12 hours prior to each meeting. Such meeting shall be devoted to hearing charges, reviewing applications for licensing, or acting on appeals, interpretations and complaints received by the director or chief mechanical inspector, and any other business as may be brought before such board.
2. All charges, appeals, requests for interpretations and complaints shall be presented to the board by the chief mechanical inspector or his authorized representative on forms indicating the identity of the applicant or plaintiff, the section or sections of the code in question, and a clear statement of the plaintiff's request and his reasons for making said request.
3. All applications for certificates of license shall be presented to the board by the chief mechanical inspector or his authorized representative on forms with sufficient information to allow the board to make a proper evaluation of the applicant's qualifications.
4. All forms for presentation to the board shall be provided by the chief mechanical inspector. The specific make up of each form shall be determined by the chief mechanical inspector and approved by the board.

Add Section R112.6 Procedure at Meetings

The meeting of the mechanical board of appeals shall be conducted in conformity with Parliamentary Rules (Robert's Rules of Order), or any other rules under which the board members agree to abide unless otherwise specified in this chapter.

Add Section R112.7 Quorums and Majority Vote

1. Six Members shall constitute a quorum.
2. The vote of a majority of the members present shall be necessary for the adoption of any matter, except as otherwise provided in this amendment. Each member of the mechanical board of appeals shall have one vote.

Add Section R112.8 Suspension and Revocation of License

1. The mechanical board of appeals shall have the power to suspend or revoke the certificate of license of any person who is found guilty of:
 - a. The practice of any fraud or deceit in obtaining such license, or taking out mechanical permits in the name of some person not authorized by law to do mechanical work and thereafter permitting a person without a proper certificate of license to do the work, or
 - b. Any intentional violation of the uniform mechanical code in the performance of mechanical work performed within the city.
2. In determining such charges, the mechanical board of appeals shall proceed upon the sworn information furnished by any city inspector or resident of this city who is of sound mind and legal age. Such board, whenever it deems the information sufficient to support further action on its part, shall cause a copy of the board's order and of the information to be served upon the accused by registered mail at least 15 days before the date appointed in the order for the hearing. The accused may appear in person or by counsel, or both, at the time and place named in the order and make his/her defense to the same. The city attorney shall provide counsel for the board. If the accused fails or refuses to appear, the board may proceed to hear and determine the charge in his absence. If the accused pleads guilty, or if upon a hearing of the charges by the board, by a vote of 6 or more of its members shall find them to be true, it may enter an order suspending or revoking the license of such contractor. (See section 118.10)
3. When the board has completed such hearing, it shall cause a record of its findings and decision to be filed with the city clerk, and shall cause a certified copy thereof to be forwarded to the accused.
4. It shall be unlawful for any person whose rights under a certificate of license have been suspended or revoked by the board to engage in or do mechanical work.
5. If the board desires to revoke the party's certificate of license permanently, it shall so state, if not, it shall make provisions for reinstatement.
6. An affirmative vote of at least 2/3 of the board members present shall be required for suspension or revocation of license.

Add Section R112.9 Appeals to the Board

The mechanical board of appeals shall require notice of appeals in writing stating grounds for appeal and other such matters indicating the relevant sections of the code. Any person may request an appeal or review before such board. Hearings for appeals shall be granted, and the applicant and the director or the chief

mechanical inspector must be given reasonable notice of the time and place of appeal.

Add Section R112.10 Appeals from the Board's Action

Any action of the mechanical board of appeals may be appealed by written petition filed with such board and the city clerk within 7 days for a hearing before city council.

Add Section R115 License Renewal

Licenses shall be renewed prior to expiration date. Each person holding a valid mechanical license shall renew same in sufficient time to have the license renewal form returned to the Development Services department with the appropriate renewal fee prior to license expiration date. Any person who does not renew his license prior to expiration date must appear before the mechanical board of appeals and show cause why his license should be renewed without taking the required license examination. In the event that a person does not renew his license after one year from date of expiration, he shall be required to take an examination as per a new license, and pay the full fee.

Section R115.1 Suspension of License

The mechanical board of appeals may suspend any mechanical license for a period of not more than one year, after determining at a proper hearing (See Section 110.1.8) before the mechanical board of appeals that the licensee has done any of the following:

1. permitted an unlawful or fraudulent use of such license;
2. committed an offense in another state, county or city which, if committed in this city would be grounds for suspension or revocation;
3. is an habitual violator of this chapter (habitual shall mean three or more separate violations);
4. performed mechanical work that is in violation of this chapter and then failed or refused to make corrections necessary for the work to conform to this chapter;
5. performed any mechanical work that is in violation of this chapter, and such work is found to be the cause or a contributing cause or a contributing cause of a fire, whether or not there is any actual damage or loss.

Section R115.2 Certain Acts Prohibited

In addition to other provisions of this code, it shall be unlawful for any person to do any of the following acts:

1. to display, cause or permit to be displayed or to have in one's possession any instrument purporting to be licensed for the doing of any mechanical work, knowing such instrument to be fictitious or to have been canceled, revoked, suspended or altered;
2. to lend or knowingly permit the use of any license for the doing of any mechanical work to any person not entitled thereto, under the provisions of this chapter;
3. to display or represent as one's own a license for the doing of any mechanical work when such license has not been lawfully issued to the person so displaying the same;
4. to fail or refuse to surrender to the building official on demand any license for the doing of any mechanical work which has been suspended, canceled or revoked as provided by law;
5. to apply for or have in one's possession more than one current license of the same type provided for in this chapter;
6. to use a false or fictitious name or give a false or fictitious address in any application for any license provided for in this chapter, or any renewal or duplicate thereof, or knowingly make a false statement or knowingly conceal a material fact or otherwise commit fraud in making any such application;
7. to employ a master, technician, or apprentice in mechanical work any person not licensed as provided in this chapter;
8. to perform any character of mechanical work for which a license is required by this chapter while such license is suspended, canceled or revoked.

Section R115.3 Vehicle Identification

All mechanical contractors holding a master's license from the city of San Antonio shall display on both sides of any vehicles being used for or in connection with mechanical installation or service work, a sign depicting the identity of the person, firm or corporation performing the work and the mechanical master's license number issued by the city of San Antonio. The sign shall have the numbers not less than 3" high.

Section R115.4 Right of Appeal

Any person denied a license or whose license has been suspended or revoked by the mechanical board of appeals shall have the right to appeal such order or action within 7 days to city council by filing a written notice of appeal with the city clerk.

Section R115.5

The chief mechanical inspector shall be the master of the city of San Antonio.

Section M1202.4 Unsafe Equipment

Hazardous Conditions. Equipment regulated by this code, which is unsafe or which constitutes a fire or health hazard or is otherwise dangerous to human life is, for the purpose of this section, unsafe. Use of equipment regulated by this code constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use. Unsafe equipment is here declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the Uniform Code for the Abatement of Dangerous Buildings or such alternate procedure as may be adopted by this jurisdiction. As an alternative, the building official or other employee or official of this jurisdiction as designated by the governing body may institute other appropriate action to prevent, restrain, correct or abate the violation.

M1305.1.1 Central Furnaces is amended by adding the following two subsections:

Warm air furnaces shall not be installed in:

1. a closet or alcove less than six inches wider than the furnace or furnaces installed therein with a minimum clear working space less than three inches along the sides, back and top of the furnace.
2. fuel burning or electric furnaces shall not be installed under any stairway or landing.

M1305.1.3 Add section to read as follows:

In addition to the above, space in which any fossil fuel fired attic furnace is installed shall be provided with a permanent ladder or fold-away ladder.

M1305.1.4.4 Electrical Connections:

Such wiring exposed to weather, shall be installed in conduit approved for exterior use.

M1305.1.4.5 Means of Disconnect.

An approved, independent means of disconnect for the electrical supply to each piece of equipment shall be provided in sight of the equipment served when the supply voltage exceeds 50 volts.

M1305.1.4.6 Service Receptacle

A 120-volt service receptacle shall be located within 25 feet (7620 mm) of, and on the same level as, the equipment for maintenance. The service receptacle shall not be connected on the load side of the required means of disconnect.

M1305.1.4.7 Illumination

Permanent switch controlled lighting shall be installed for maintenance of equipment required by this code to be accessible or readily accessible. Such lighting shall provide sufficient illumination to safely approach the equipment and perform the tasks for which access is provided. Control of the lighting shall be provided at the access entrance.

Exceptions:

1. Direct vent equipment and electric heat furnaces.
2. Access to furnaces located in an attic or under floor crawl space may be through a closet.
3. A vented appliance located in an unconfined space in accordance with the combustion air requirements of Chapter 7.
4. A fireplace may be approved for installation in a bathroom or bedroom if equipped with an approved method of obtaining combustion air from outside.
5. A warm-air furnace in an enclosed space with combustion air obtained from outside the building in conformance with Chapter 7 and having a tight fitting gasketed door with a closer may have access through a bathroom or bedroom.

Equipment burning liquefied petroleum gas (LPG) or liquid fuel shall not be located in a pit, an under floor space, below grade or similar location where vapors or fuel might unsafely collect unless an approved method for the safe collection, removal and containment or disposal of the vapors or fuel is provided

In areas subject to flooding, equipment which would be damaged or create hazardous conditions if subjected to inundation shall not be installed at or below grade unless suitably protected by elevation or other approved means.

M1410.1.1 Prohibited installations:

No un-vented or direct fired fuel burning equipment shall be installed or used to provide comfort heating within any occupancy group other than Group F, S, or U.

M1411.3.4 is amended by adding the following:

Primary drain lines located above ceiling shall be insulated with foamed plastic, rubber based insulation or other approved material with a minimum thickness of 3/8" except that drain lines located under floor in crawl space are not required to be insulated.

Chapters 19, 20, 21, 22, & 23 of the International Residential Code are hereby deleted.